FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL APPLICATION NO.1403 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Ms.Monica Sakhrani for the applicant.

Ms.Sharmila Kaushik for Respondent No.1.

Mr.S.S.Tatkare, APP for the State.

Coram : R.S.Mohite,J

Date : 17.4.2006.

PC

1. Heard both sides. Rule. By consent rule made returnable forthwith.

2. This is an application made by the Complainant for quashing FIR lodged by her at D.B.Marg police station for the offence under Section 338 of the IPC. The police have investigated the matter but the charge-sheet has not yet been filed. The complainant states that the

accused has compensated her in terms of money and settled the entire dispute. She states that she has received the amount of Rs.45,000/- by way of compensation for the other losses suffered by her due to an accident. Complainant further states that he would like to proceed abroad and would not like to pursue the matter further. It is pointed out that the offence is a compoundable offence. Advocate for respondent no.1 states that she has made payment as stated above and that the matter is settled between the Complainant and the accused. It is seen that in the present case police machineries have been utilised to arrive at the settlement. In the circumstances, subject to the payment of Rs.5000/- to the "Police Welfare Fund" within a period of one week from today, the FIR will stand quashed. The amount of Rs.5000/- would be paid by bank draft and if amount

is not paid, police will be at liberty to proceed and to file a charge-sheet. Advocate for the accused states that since the accused is a beneficiary of this order, accused will pay the amount of Rs.5000/- within a period of one week. Rule made absolute in the aforesaid terms. Application stands disposed of.

(R.S.Mohite,J)